



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Friday, the Thirteenth day of August Two Thousand Twenty One

PRESENT

The Hon`ble Mr Justice M.DHANDAPANI

CRIMINAL ORIGINAL PETITION No.14271 of 2021

1 A.PANNERSELVAM

[PETITIONERS / ACCUSED]

2 SAROJA

Vs

THE STATE REP.BY

[RESPONDENT]

THE INSPECTOR OF POLICE,
MALLASAMUDIRAM POLICE STATION,
NAMAKKAL DISTRICT.
(CRIME NO.256 OF 2021)

For Petitioner : M/S. N.MANOCHARAN Advocate

For Respondent : MR.C.E.PRATAP, Govt. Advocate (Crl. Side)

PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioners, who apprehend arrest at the hands of the respondent police for the alleged offence under Sections 174 of Cr.P.C. Later altered to Section 306 of IPC in Crime No.256 of 2021 on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that the petitioners are the mother-in-law(A2) and father-in-law(A3) of the deceased. The defacto complainant and the first accused got married before 13 years. Due to depression, the defacto complainant's daughter committed suicide by setting fire on herself in her matrimonial home and died. Hence, the defacto complainant lodged a complaint.

3.The learned counsel appearing for the petitioners submit that the petitioners have not been committed any offence as alleged by the prosecution. Due to depression, she set fire on her and committed suicide. The petitioners are in laws and they have falsely implicated in this case. Hence, the learned counsel prays to grant anticipatory bail to the petitioners.



4. The learned Government Advocate submitted that investigation is pending.

5. Considering the fact that the petitioners are in-laws and there is no specific overtact against them, this Court is inclined to grant anticipatory bail to the petitioners.

6. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate, Tiruchengode, on condition that the petitioners shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand Only) each, with two sureties each for a like sum to the satisfaction of the respondent police or the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further condition that:

(a) the petitioners and the sureties shall affix their photographs and left thumb impression in the surety bond and the Court concerned may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

(b) the petitioners shall report before the respondent police as and when required for interrogation;

(c) the petitioners shall not tamper with evidence or witness either during investigation or trial;

(d) the petitioners shall not abscond either during investigation or trial;

(e) on breach of any of the aforesaid conditions, the learned Magistrate/ Trial Court is entitled to take appropriate action against the petitioners in accordance with law as if the conditions have been imposed and the petitioners released on bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in *P.K.Shaji Vs. State of Kerala* [(2005) AIR SCW 5560]; and;

(f) if the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

-sd/-

13/08/2021

This order, on being produced, be punctually observed and carried into execution by all concerned

TRUE COPY

Sub-Assistant Registrar (Statistics/C.S.)
High Court, Madras - 600 104.



TO

1 THE JUDICIAL MAGISTRATE,
TIRUCHENGODE

2 THE CHIEF JUDICIAL MAGISTRATE
NAMAKKAL [FOR INFORMATION]

3 THE INSPECTOR OF POLICE,
MALLASAMUDIRAM POLICE STATION,
NAMAKKAL DISTRICT.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1CC to M/S. N.MANOCHARAN Advocate on payment of necessary
charges SR.NO.8539

CRL OP.14271/2021

Date :13/08/2021

CSK 24/08/2021